



Supervisor: (845) 688-7165  
Police: (845) 688-9902  
Town Clerk: (845) 688-5004  
Justice Court: (845) 688-5005  
Assessor: (845) 688-5003  
**ZBA/ZEO/Planning: (845) 688-5008**  
Highway: (845) 688-9901  
Fax: (845) 688-9863

P.O. Box 134, 7209 Rte. 28, Shandaken, NY 12480

Town of Shandaken Planning Board  
MINUTES FOR REGULAR MONTHLY MEETING  
July 13, 2016

The regular monthly meeting was called to order by Chair Brewer at 7:00 pm with the pledge of allegiance.

Roll called by Planning Board secretary Anne Ricciardella, and attendance was recorded as follows:

Don Brewer, Chair	Present
Kath Jordan, V. Chair	Present
Art Christie	Present
John Horn	Present
Joanne Kalb	Absent
Allen Shiner	Present
Cliff Rabuffo	Present

**Roll call summary:** 6 Present, 1 Absent

**Others present:** Warren Tutt, Tina Rice

**Minutes of previous meeting:**

Motion was made to accept the previous month's minutes by Board Member Jordan, seconded by Board Member Horn, all in favor.

**Communications:**

Brent Gotsch will be present at the workshop meeting next week, July 27<sup>th</sup> to do a 2 hour training course on reading flood maps which will count towards the continuing education credits for the Board Members. ZBA members were also invited to join as they don't have enough meetings throughout the year to fulfill the credits.

**Old Business:**

Chair Brewer inquired with the building inspector about the ZBA. Not much for this month, a Public Hearing for Mr. John Zirinsky on Rte. 214. The Belleayre Resort is still in litigation because the judge

disagreed that it's an unwarranted action by the Catskill Heritage Society and decided it needed more time for review. Board Member Horn also had some questions for the building inspector concerning some rocks around the Chichester Post Office and if they were in the State right of way. There are different standards for County and State roads and he will look into it.

Foxfire Mountain House, which is located on Andrew Lane in Mt. Tremper who was before the Planning Board one year ago for a special permit that was granted for a 10 room hotel/restaurant/bar much to the abutting neighbors protests. He's now conducting weddings in excess of 75 people at a time under a large tent. Building Dept. has yet to receive any complaints. He's currently in the process of opening his restaurant. There's been some disagreement about the capacity between the Building Inspector, the Health Department and the DEC. The Building Inspector can come up with a number for the size of the restaurant and the parking lot, but the Health Department has to worry about the water and the DEC, the septic. Could essentially give him a number to stay within but how will it be enforced? Mr. Trojan purchased a brand new septic system to open but it was only designed for what he's doing now, not for future endeavors.

The Phoenicia diner just recently finished work on a pavilion added over the outside patio. They now have an extra 60 seats but are not quite ready to serve there yet as he must complete a 6 month water run to make sure his water system can accommodate all the extra people.

### **New Business:**

Chair Brewer had some areas of concern he wanted to discuss with the Board Members. The first one is Air B&B regulations and if anyone had come up with something. Board Member Shiner stated he thought that the regulations already in place in the code book mostly cover the same things but need to be enforced on a grander scale. Noise and trash being of the main concerns, but as it turns out we do not in fact have a noise ordinance in the code book. There is one but it's ONLY for non-residential non-agricultural uses in a residential zone. With all the air B&B complaints, the violators are out-of-towners but we have to send the violation to the owner of record which is sent certified and can be denied. If we were to implement regulations, the owner would have to comply in order to rent out the home. If they choose to ignore the violation, then their permit to rent will not be renewed and they can no longer rent out their home. It gives the homeowners incentive to follow the Town rules if it's a permit, not a license. We could also suggest if they live elsewhere, to have a caretaker available, who's local and can be contacted before it becomes a violation. If we were to make this a permit process it would of course be handled by the Building Inspector and the building department. Also, with a permit being issued, the house would have to be inspected prior to being rented to make sure everything's up to code and the building's safe to occupy.

Tiny houses are becoming more popular all over. Chair Brewer would like everyone on the Board to do some further research to better regulate the zoning/planning in the future.

### **County Liaison Report:**

County Liaison Keith Holmquist not present at meeting, but called and spoke to Don. The only thing before the Ulster County Planning Board was for Mr. Zirinsky on Route 214 which was deemed no County impact.

### **Adjournment:**

There being no further business before the Board, a motion was made for adjournment by Board Member Rabuffo, seconded by Board Member Jordan. All in favor. The Shandaken Planning Board meeting adjourned at approximately 7:45 PM.

=